



# NatzNews

*Community Outreach Publication*

Immigration Services Division

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## Application Denials

In implementing backlog reduction initiatives, field offices have been advised to process naturalization denials as they are encountered and not to put them aside, as was usually the case because it takes considerably more time to process a denial than a grant of citizenship. (Naturalization denials require higher levels of supervisory review.)

In addition, because of backlog reduction, the Agency has encountered a larger volume of old work, mostly filed in 1996-1997, that includes instances where:

- Applicants did not appear for their scheduled interview appointment;
- Applicants did not appear for fingerprinting or re-fingerprinting;
- Applicants did not submit additional information necessary to complete their application in response to INS requests;
- Applicants have submitted multiple applications for naturalization and the INS denies the duplicates; and/or
- Applicants were denied for eligibility reasons.

These two factors have resulted in an increase in application denials. It is important to note that the INS has not changed the criteria for naturalization, nor its policy regarding denials. Each application is considered on its own merits.

It appears that many applicants may have lost interest in their pending naturalization applications, since a number of applicants have either requested that their application be withdrawn or failed to respond to an INS notice. Any of these actions may result in the case being counted as a “denial.”

In considering why an applicant did not respond to an INS notice, the Agency is concerned that INS records may not reflect the applicant's current address. Therefore, the INS has requested its field offices to ensure that no application has been inappropriately denied because of an address change issue.

If the INS denied an applicant's naturalization case for failure to appear for an interview, or to appear for fingerprinting, or to submit requested information—and INS records do not reflect the change of address that the applicant had submitted to the Agency—the INS may reopen the case at no additional cost. In these cases, applicants should contact in writing the INS office or Service Center that sent them their denial notice.

## **New Temporary Protected Status (TPS) Filing Instructions for Nicaraguans and Hondurans**

On March 4, 1999, the Office of Management and Budget approved a new version of the Form I-821A, TPS-Filing Instructions for Nicaraguans and Hondurans. This version replaces the January 8, 1999, version of the Form I-821A.

The Form I-821A was amended to include information regarding the penalty for making false statements on the TPS or Employment Authorization Document (EAD) applications and the duty to notify the INS in the event the applicant moves or changes address. This form should be attached to any TPS application for Nicaraguans and Hondurans. It has been given to the form centers and will be posted to the INS website. A copy of the Form I-821A is attached to this edition of NatzNews.

## **Progress Made Toward Electronic Fingerprinting**

The Immigration Services Division (HQISD) is finalizing the infrastructure plans necessary to move away from taking ink prints to Servicewide electronic fingerprinting. HQISD has awarded a contract to procure 276 livescan fingerprint machines to complement the 97 in place at the Application Support Centers (ASCs), and installed data lines and mail servers to support the electronic transmission of images and data to and from the FBI.

Currently, applicants are fingerprinted at the ASCs and their fingerprint cards are mailed to the FBI through a Service Center. The Service Center uploads the applicants' biographical data into the FD-258 tracking system, and then downloads the information onto a machine readable data (MRD) tape that is mailed to the FBI with the applicants' fingerprint cards.

Later this year, HQISD will begin the progressive rollout of livescan machines that will continue for approximately the next year. In the future, the INS plans to use these machines to scan applicants' fingerprints and send them electronically over data lines to the FBI through the Electronic Fingerprint Image Print Server (EFIPS). This electronic process will eventually replace the current fingerprint card and MRD tape process.

The benefits of the planned system, once fully in place, will include: faster response time; elimination of the machine readable data process; and an electronic response from the FBI.

## **Revising the Application for Naturalization**

As a part of the initiative to serve our customers better, the naturalization redesign team is working to revise Form N-400, Application for Naturalization, based on input from field staff, community-based organization representatives, and applicants. The new form will include improved instructions, a more user-friendly design, and simplified language. In addition, the INS anticipates that the revised N-400 will save time for applicants and INS staff by decreasing the number of incomplete applications returned to applicants and reducing the number of applications that INS staff correct upon receipt.

The INS published the revised form in the Federal Register for comment on January 8, 1999. After incorporating changes and responding to public comment, the INS anticipates the new N-400 will be available for use by applicants by the end of this fiscal year.

## **Progress in Records Centralization**

In December's NatzNews, we reported that Files and Forms Management (HQFFM) was consolidating the INS' current and future non-classified A-File retirements to the new Federal Records Center (FRC) at Lee's Summit, Missouri. Almost 350,000 cubic feet of files will be moved in FY 1999. So far, the INS has completed the transfer of 115,914 cubic feet of files from Laguna Niguel, CA; Atlanta, GA; St. Louis, MO; and Fort Worth, TX.

HQFFM is in the midst of centralizing holdings from the Washington National Records Center, Suitland, MD, to Lee's Summit. Following completion of Suitland, the order of FRC transfers for the remainder of the fiscal year is: Chicago, IL; Boston, MA; Dayton, OH; Seattle, WA; Philadelphia, PA; Kansas City, MO; Pittsfield, MA; and Denver, CO.

## **Next CBO Meeting**

The next INS/community-based organization meeting will be April 27, 1999, at 2:00 p.m. in the Shaughnessy Conference Room on the 6<sup>th</sup> floor at the main INS building (425 "I" Street, NW, Washington, DC).

Organizations that would like to send representatives to the monthly meetings should fax their request to Patricia Stivala, Immigration Services Division, at 202/514-8853.

## I-821A TPS-Filing Instructions

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### Filing Instructions for Temporary Protected Status (TPS) Applicants from Honduras and Nicaragua:

For nationals of other designated TPS countries, file your application in accordance with the instructions contained in Form I-821, Application for Temporary Protected Status.

#### Who is eligible for Temporary Protected Status (TPS) under the new program for Hondurans and Nicaraguans?

Nationals of Honduras and Nicaragua (or eligible aliens who have no nationality and who last habitually resided in Nicaragua or Honduras) who have resided in the United States since December 30, 1998.

#### How do I register for TPS?

Nationals of Nicaragua or Honduras (or eligible aliens who have no nationality and who last habitually resided in Nicaragua or Honduras) must submit a Form I-821, Application for Temporary Protected Status, and a Form I-765, Application for Employment Authorization. Also submit two (2) photographs, (1 ½" x 1 ½"), and supporting evidence of nationality and United States residency since December 30, 1998.

**You must complete and submit a Form I-765, Application for Employment Authorization, even if you already have or do not require employment authorization. Do not submit a completed FD-258 fingerprint card with your application. After the INS receives your application, if you are 14 years of age or older, you will receive notice of an appointment to appear for fingerprinting.**

#### Where should I register for TPS?

If you are filing as a national of Honduras or Nicaragua you should file your application with the INS Service Center having jurisdiction over the state in which you live.

If you live in Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, Vermont, Virginia, West Virginia, or in the U.S. Virgin Islands, mail your application to:

Vermont Service Center  
ATTN: TPS  
75 Lower Welden Street  
St. Albans, VT 05479

If you live in Arizona, California, Guam, Hawaii or Nevada, mail your application to:

California Service Center  
ATTN: TPS  
24000 Avila Road, 2<sup>nd</sup> Floor  
Laguna Niguel, CA 92677-8111

If you live in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, New Mexico, North Carolina, Oklahoma, South Carolina, Tennessee, or Texas, mail your application to:

Texas Service Center  
P.O. Box 850997  
Mesquite, TX 75185-0997

If you live elsewhere in the United States, please mail your application to:

Nebraska Service Center  
P.O. Box 87821  
Lincoln, NE 68501-7821

#### When should I file?

Applicants must file on or before July 5, 1999.

#### If approved, how long will my temporary protected status last?

If granted, your status will last until July 5, 2000.

## I-821A TPS-Filing Instructions

### How much will my application cost?

Please file your TPS registration with the following fees :

I-821 Application for Temporary Protected Status	\$ 50.00
I-765 Application for Employment Authorization	\$100.00
Fingerprinting Fee	\$ 25.00
<b>TOTAL</b>	<b>\$175.00*</b>

- \* If you already have or do not require employment authorization, you do not have to pay the employment authorization fee of \$100, but must still submit a completed I-765 Application for Employment Authorization. You may request a fee waiver for the I-821 and I-765 fees by completing and submitting an appropriately documented fee waiver request and requisite affidavit in accordance with 8 CFR 244.20. All applicants 14 years of age and older must submit the \$25 fingerprint fee. There is no waiver for the fingerprint fee.

### How can I get information filing for TPS or on my case after I file?

For information before you file, please call 1-888-557-5398 (this is a toll free call) or go to the INS website at <http://www.ins.usdoj.gov>.

After you submit your registration package, you will receive a receipt from the Service Center. If you have questions, please contact the Service Center at the phone number listed on your receipt.

### What is the penalty for making false statements on my TPS or Employment Authorization application?

When you sign the applications, you sign under penalty of perjury. Your signature is evidence that you are aware of the contents of the application and that all statements on the application are true and correct. If you knowingly provide false information on your application, you may be subject to criminal or civil penalties, including fines or imprisonment, under titles 8 and 18 of the United States Code.

### What do I do if I move or my address changes?

You are required to notify the INS within 10 days of your change of address. To change your address, fill out Form AR-11 and send it to the Service Center with jurisdiction over your application, as required by 8 CFR 265.1.

**For Further Information:** See 64 FR 524 (Hondurans) and 64 FR 526 (Nicaraguans) for more information regarding Temporary Protected Status. See 8 CFR 103.7(b) and 63 FR 43604 for information regarding application fees. See 63 FR 12979 for information regarding fingerprinting procedures and fees. See 8 CFR 265.1 for information regarding applicant notification requirements related to change of address.